IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FOURTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 9607 of 2002

Between:

Smt.Kunupureddy Vijaya Lakshmi W/o.Satyanarayana
Palliwada Kaikalur Mandal
Krishna Dist.

..... PETITIONER

AND

1 The Joint Collector
Machilipatnam Krishna Dist
2 The Revenue Divisional Officer
Gudivada Krishna Dist.
3 The Mandal Revenue Officer, Kaikalur
Krishna Dist.
4 Smt.Prathi Vijaya Lakshmi W/o.Masireddy Sreenu
Palliwada Village,Kaikalur Mandal Krishna Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in electing the un-official respondent as fair price shop dealer, Palliwadaa village,Kaikalur Mandal,krishna dist vide RCH.34/97, dt.15-4-2002 of the RDO, Gudivada which the petitioner was running as illegal, arbitrary, Violative of the principles of natural justice apart from being violative of Articles 14 and 21 of the Constitution of India and consequently declaring that the petitioner is entitled to run the Fair Price Shop in Palliwada,Kaikalur Mandal and pass such other order or orders.

Counsel for the Petitioner:MR.RAVI KONDAVEETI

Counsel for the Respondent Nos.1&3: GP FOR CIVIL SUPPLIES Counsel for the Respondent No.4:----------

The Court made the following :

.....

THE HONOURABLE SRI JUSTICE B. PRAKASH RAO

WRIT PETITION NO. 9607 OF 2002

ORDER:-

Heard both the learned counsel. Petitioner herein seeks to assail the orders dated 15-4-2002 appointing fourth respondent as Fair Price Shop dealer.

Though several contentions have been urged on behalf of the petitioner, however, the fact remains that the petitioner has got alternative remedy of appeal. Therefore, I do not find any ground to go into the same, more so, when the said appointment order was suspended by this Court on 21-5-2002 and the same was made absolute on 18-12-2002.

Accordingly, the writ petition is dismissed with a liberty to the petitioner to avail the remedy of appeal within a period of four weeks from today, on receipt of which, the Appellate Authority shall dispose of the same on merits, after giving notice, in accordance with law. It is needless to mention that the interim order granted by this Court shall continue till the disposal of the appeal. No costs.

04—08—2004.

Stv/-

Note: Issue C.C. in 10 days.

(B.O.)

C.M.

To

1 The Joint Collector
Machilipatnam Krishna Dist
2 The Revenue Divisional Officer
Gudivada Krishna Dist.
3 The Mandal Revenue Officer, Kaikalur
Krishna Dist.
4 2CCs to the G.P.for Civil Supplies, High Court Buildings, Hyderabad(OUT)

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